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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,403	06/26/2001	Alex Hornig	HORN3041/EM/6935	9488

7590 11/04/2002
Bacon & Thomas
4th Floor
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EXAMINER

AGUIRRECHEA, JAYDI A

ART UNIT PAPER NUMBER

2834

DATE MAILED: 11/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/888,403

Applicant(s)

HORNG ET AL.

Examiner

Jaydi A. Aguirrechea

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Election/Restrictions

1. Claims 1-4 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 3.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 5 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Plunkett (US 4554491).

Plunkett discloses a brushless dc motor having:

a stator (12) made of laminations (14) with a radial winding (30), the stator comprising at least two (even number of) pole plate assemblies (24), (It should be noted that the claims do not specify that the assemblies must be detachable or separate pieces.)

each said pole plate assembly (14) comprising a plurality of pole plates made of a magnetically conductive material,

each said pole plate (14) assembly comprising a hub (16) having a central hole (18) and at least two poles extending radially outward from the hub, the poles being spaced by an identical angular interval (Figure 1, and 4), each said pole having a distal end with a magnetic pole face (28), each said pole having a metal wire wound there around (30); the magnetic pole

face on the distal end of each said pole of each said pole plate assembly comprises a vertically extending, inductive face (28);

wherein the inductive face of each said pole plate assembly includes two ends, one of the ends of the inductive face of each said pole plate assembly having a chamfered edge.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6, 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Plunkett (US 4554491) in view of Horng (US 5967763).

Plunkett teaches the claimed invention except for the engaging member.

Horng discloses an engaging member (21) for the purpose of connecting a circuit board to the coil seat.

It would have been obvious to one skilled in the art at the time the invention was made to use the engaging member disclosed by Horng on the motor structure disclosed by Plunkett for the purpose of connecting a circuit board to the coil seat.

With regards to claim 8 and 9, the combination of Plunkett and Horng discloses the magnetic pole face on the distal end of each said pole of each said pole plate assembly comprising a vertically extending, inductive face (28) having a chamfered edge.

With regards to claim 10, the combination of Plunkett and Horng discloses the structure wherein the engaging member and each said pole plate assembly are in fitting engagement

With regards to claim 11, the combination of Plunkett and Horng discloses the structure wherein the engaging member includes a flange.

With regards to claim 12, the combination of Plunkett and Horng discloses the structure wherein the central hole of the pole plate assembly comprises at least one first groove, the engaging member comprising at least one second groove.

Conclusion

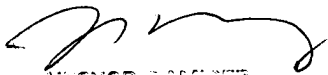
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaydi A. Aguirrechea whose telephone number is 703-305-2277. The examiner can normally be reached on M-Th 9-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on 703-308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-1341 for regular communications and 703-305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

jaa
October 31, 2002


JAYDI A. AGUIRRECHEA
SUPERVISOR
OCT 31 2002